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In re Application of
FUKAGAWA, et al.
Application No.: 10/532,562
PCT No.: PCT/JP03/13538
Int. Filing Date: 23 October 2003
Priority Date: 24 October 2002
Attorney Docket No.: 033231-006
For: PROCESS FOR PRODUCING
CELLULOSE ACYLAATE FILM

DECISION ON
PAPERS UNDER 37 CFR 1.42

This decision is in response to the declaration filed 25 April 2005 which is being treated as a request under 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 23 October 2003, applicants filed international application PCT/JP03/13538, which claimed a priority date of 24 October 2002. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 06 May 2004. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee was to expire on 24 April 2005.

On 25 April 2005, applicants filed a transmittal letter for entry into the national stage in the United States accompanied, inter alia, by: the basic national fee; a copy of an international application; a preliminary amendment; and an executed declaration. The declaration was executed by: Nobutaka Fukagawa; Eiichiro Aminaka; Hiroshi Kawamoto; and Hiroyuki Kawanishi as inventors and Yoshiko Murayama; Honoka Murayama; and Kurumi Murayama on behalf of deceased inventor, Masahiko Murayama.

DISCUSSION

37 CFR 1.42 *When the Inventor is Dead*, states, in part:

In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent.

The declaration submitted on 25 April 2005 was executed by Yoshiko Murayama; Honoka Murayama; and Kurumi Murayama as "legal representatives" of the deceased

inventor, Masahiko Murayma. The declaration is acceptable under 37 CFR 1.42 and complies with 37 CFR 1.497(a)-(b).

CONCLUSION

The papers filed under 37 CFR 1.42 are **ACCEPTED**.

The application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.



Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459